

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

REPRODUCTIVE HEALTH SERVICES OF PLANNED PARENTHOOD OF THE ST. LOUIS REGION, INC., on behalf of itself, its physicians, its staff, and its patients, and COLLEEN P. McNICHOLAS, D.O., M.S.C.I., F.A.C.O.G., on behalf of herself and her patients,

Plaintiffs,

v.

MICHAEL L. PARSON, in his official capacity as Governor of the State of Missouri; ERIC S. SCHMITT, in his official capacity as Attorney General of the State of Missouri; KIMBERLY M. GARDNER, in her official capacity as the Circuit Attorney for the City of St. Louis; JADE D. JAMES, M.D., in her official capacity as President of the Missouri State Board of Registration for the Healing Arts; SARAH MARTIN, PH.D., M.P.P., M.P.H., in her official capacity as Secretary of the Missouri State Board of Registration for the Healing Arts; SAMMY L. ALEXANDER, M.D., JAMES A. DIRENNNA, D.O., JEFFREY S. GLASER, M.D., F.A.C.S., KATHERINE J. MATHEWS, M.D., NAVEED RAZZAQUE, M.D., DAVID E. TANNEHILL, D.O., and MARC K. TAORMINA, M.D., F.A.C.P., in their official capacities as Members of the Missouri State Board of Registration for the Healing Arts; and RANDALL WILLIAMS, M.D., in his official capacity as Director of the Department of Health & Senior Services of the State of Missouri,

Defendants.

CIVIL ACTION

CASE NO. 2:19-cv-4155-HFS

**PLAINTIFFS' MOTION FOR RECONSIDERATION, OR, IN THE
ALTERNATIVE, FOR A PRELIMINARY INJUNCTION,
AND EXPEDITED BRIEFING SCHEDULE**

Pursuant to Rule 54 of the Federal Rules of Civil Procedure, Plaintiffs respectfully move this Court to reconsidering its ruling on August 27, 2019, denying a preliminary injunction relating to the pre-viability ban on abortion embodied at Mo. Rev. Stat. § 188.038(2) (the “DS Reason Ban”), and for an expedited briefing schedule thereon. Alternatively, pursuant to Rule 65 of the Federal Rules of Civil Procedure, Plaintiffs respectfully move this Court to issue an additional preliminary injunction enjoining Defendants, their employees, agents, and successors in office from enforcing the DS Reason Ban, and for an expedited briefing schedule thereon. Without immediate intervention by the Court, Plaintiffs will be prohibited from providing women with pre-viability abortion care in the State of Missouri, in direct contravention of well-settled and long-standing constitutional protections recognized by the U.S. Supreme Court in *Roe v. Wade*, 410 U.S. 113 (1973), *Planned Parenthood of Southeastern Pa. v. Casey*, 505 U.S. 833 (1992), and *Whole Woman’s Health v. Hellerstedt*, 136 S. Ct. 2292 (2016), as revised (June 27, 2016).

In support of this Motion, Plaintiffs rely upon its Suggestions In Support of Plaintiffs’ Motion For Reconsideration, Or, In The Alternative, For a Preliminary Injunction, And Expedited Briefing Schedule.

Dated: September 4, 2019

Respectfully submitted,

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CERTIFICATE OF NOTICE

I hereby certify that on September 4th, 2019, the foregoing was filed electronically through the Court's electronic filing system to be served electronically on counsel for all parties.

/s/ Arthur A. Benson II

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